

June 5, 2006

1. Call to Order/Roll Call/Opening Ceremonies

Chairman Vispoli called the Regular Meeting of the Board of Selectmen to order on Monday, June 5, 2006 in the Selectmen's Conference Room - Town Offices at 7:03 p.m. Present at the meeting were Selectmen Hess, Lyman, Major and Chairman Vispoli. Selectman Teichert was absent. Also present was Town Manager Buzz Stapczynski and Town Clerk Randall Hanson. The Chairman called for a moment of silence followed by the Pledge of Allegiance. Elizabeth A. Kochakian served as Recording Secretary. The meeting was duly posted and cablecast live.

2. Communications and Announcements/Liaison Reports

Town Manager Buzz Stapczynski:

- The Selectmen were asked to sign citations for Girl Scouts Lindsey Schoen and her sister Holly Schoen. Congratulations were offered by Board members.
- The Manager reported that crews have been out and working on flood issues. The Town's Electrical Inspector Paul Kennedy has been working nights and weekends with the various property and landowners to reconnect. FEMA is in Town and will be taking information from people who own, renters, and business owners that were flood victims. They can be reached at 1-800-621-3362. When FEMA is called, they will send out insurance adjusters, etc. The Manager said that FEMA was offered use of an office in Town Hall for outreach to people but they have not gotten to that stage yet. Presently, they have an office in the Lawrence library and will be moving out to Andover shortly. Also, they are having an important regional session for individuals and businesses impacted on Thursday, June 8 at the Senior Center in Lawrence. Both FEMA and the Small Business Association, two federal agencies involved in flood disaster assistance, will be there to answer questions or to offer assistance. The Manager said that FEMA will be attending the Balmoral Condominium meeting on Wednesday night in the Old Town Hall at 7:00 p.m. Representatives of FEMA will be there as well as Paul Kennedy who is working with them. There may be some movement for temporary power at Balmoral but they are still working on those details. Also, he said the Grey Road culvert was repaired and is back in operation.
- The Andover Policeman's Ball is this Friday night. He asked the Board to give him a count as to who will be attending.
- Andover Days is this Friday and Saturday. It starts Friday with a Road Race and a concert Friday night in The Park; the Know Your Town Fair will be a part of that and will be open from 10:00 a.m. to 3:00 p.m. on Saturday. A table has been reserved for the Selectmen.
- The Andover Housing Partnership Committee and Andover Housing Authority are posting an informational meeting next Monday night at Memorial Hall Library at 7:00 p.m. to talk about the 35 acres of land on Lovejoy Road next to Sanborn School and behind the IRS. A year ago, he said they hired a consultant to do a study and his report is in draft stage and is almost done. They are going to have a public meeting with the consultant to talk about the development potentials of that site. Because it is under the custody of the School Committee, representatives of the AHP are going to meet very briefly tomorrow night with the School Committee to give them a brief overview. Notices went out and a lot of people were notified.
- Jack Petkus, Director of Public Works, wanted him to remind residents that another CRT collection is scheduled at West Middle School on Saturday, June 17, 2006 from 9:00 a.m. to 1:00 p.m.
- They received notice last week that the Massachusetts Highway Department is going to hold a public meeting on the Rte. 125 and Salem Street design for the proposed interchange changes they want to make. The meeting is on Tuesday, June 20, 2006 at 7:00 p.m. at Memorial Hall Library.

June 5, 2006 (Cont.)

2. Communications and Announcements/Liaison Reports (Cont.)

Town Manager Buzz Stapczynski (Cont.):

- The School Department is interested in upgrading the Town's I-net program system and has made a proposal to the School Committee about what kind of changes they have in mind for that and would like to meet with the Selectmen at some point. Ray Tode, Director of Educational & Information Systems for the School Department, will be making a presentation to the Cable Advisory Committee on this Thursday, June 8, 2006 at 7:00 p.m. in this room. He said they are finding that the current I-NET system is insufficient to cover all the demands placed upon it by the school folks and are looking to upgrade that. In answer to Selectman Lyman as to the budget impact, the Manager said what they are proposing is for first year to take it out of their CIP money. Something will be substituted and replaced with this. They have a plan for subsequent years and it may involve negotiations they have going on with Comcast and Verizon, which will be discussed in Executive Session.

Mary Carbone said she was concerned that it may be a one-time fee they may cover up front but will be consistent throughout the years in the budget unless they come to some agreement with the Cable Committee. She felt that there will be some competition with Verizon coming on board so that hopefully, there won't be an additional cost to the Town.

Selectman John Hess:

- Congratulated all of the Andover High School graduates who received their diplomas this evening.
- Announced that Thursday night, June 15, 5:30 p.m. to 7:30 p.m., the Rotary Club is having their annual "Citizens Who Care" exhibit at the Memorial Hall Library.
- This Saturday at 9:30 a.m., if not raining, and 10:30 if raining, Phillips Academy will be rededicating their Memorial Bell Tower.
- The Department of Public Works has prepared a list of the streets that are going to be repaved. He felt it should be posted on the web site so that if anyone is interested in their street, that information will be available to them.

Selectman Mary Lyman:

- Thanked Paul Kennedy, the Electrical Inspector, for all his help. She said she has heard numerous times that he has gone beyond the call of duty in his job as Electric Inspector. He is being everywhere and being very effective.
- Selectman Lyman asked the Manager about the work that is being done on the bridge on Rte. 28. The Manager said there were some patches on that bridge and the recent flooding increased the damage and the state is doing a patch job on it. That is why that lane is closed.
- The booklet for the Youth Services is out and they are accepting applications for their programs this summer. Applications can be made through the mail this week.
- Council on Aging will be meeting on Thursday at 8:00 a.m.

June 5, 2006 (Cont.)

2. Communications and Announcements/Liaison Reports (Cont.)

Selectman Brian Major:

- Regarding Lovejoy Road and the meeting to be held next week, Selectman Major said there is a report from some citizens that live out in the area that IRS has encroached on Town land. They have pushed down trees on Town land and used that to put all their snow dumping. The Manager said that did come to his attention and they were dumping snow on Town land. Raytheon will be in front of the Conservation Commission to rectify that problem.
- Folks in the neighborhood around High Plain Road and Wood Meadow are putting together a proposal to get a blinking light there due to some traffic difficulties in that area. He recommended they get in touch with Officer Cronin, the Police Safety Officer.

Chairman Alex Vispoli:

- Announced that he received a call from Wyeth that they will be expanding and adding 150 more jobs in Andover.
- Introduced the new reporter from the Townsman, Alison McGonagle, who will be covering the Board of Selectmen's meetings.
- When asked by Chairman Vispoli, the Manager said the Rt. I-93 study the Task Force put together is on the web site.
- Regarding the Lovejoy Road meetings, Chairman Vispoli said he would like to know what the process is for the use of Town land. The Manager said they were not going to do anything on Town land without a town meeting vote. Leading up to that, he said that all kinds of studies will have to be done and that ultimately, it will take multiple town meeting votes. If anything is going to happen, he said the land would have to be changed from the School Committee to the Town Government.

3. Approval of Consent Agenda Items

A. Appointments and Re-appointment

It was moved by Selectman Hess that the following appointments and reappointments by the Town Manager be approved:

DEPARTMENT	POSITION	RATE	EFF. DATE
PLANT AND FACILITIES DEPARTMENT			
Ihor Raniuk	Construction Project Manager - Temp	IE-28E	6/12/06

June 5, 2006 (Cont.)

3. Approval of Consent Agenda Items (Cont.)

A. Appointments and Re-appointment (Cont.)

DEPARTMENT	POSITION	RATE	EFF. DATE
PLANT AND FACILITIES DEPARTMENT - Parks & Grounds Division			
Seth Martin	Laborer - Temp./Summer	\$11.50/hr.	6/7/06
Leonard Foote	Laborer I & II (v. W. Miner)	W2-3-1	6/5/06
POLICE DEPARTMENT			
David Frobürg	Patrolman (v. W. Canane)	P-500-1-0	6/4/06
Douglas Batchelder	Patrolman (v. D. St. Jean)	P-500-1-0	6/4/06
COMMUNITY SERVICES			
Geroge Stevens	Concession Operator - PT	C2A	6/1/06
Robert Grant	Counselor - PT	C2B	6/1/06
Michael O'Reilly	Playground Instructor - PT	C2A	5/16/06
Sarah Gerrara	Softball Instructor - PT	\$10.00/hr.	5/2/06
Abigail Orenstein	Drama Instructor - PT	***	4/11/06
Crystal O'Keefe	Enrichment Instructor - PT	***	6/6/06

\*\*\* Varies with course

The motion was seconded by Selectman Major voted and approved 4-0.

B. One-Day All-Alcoholic Beverage Licenses

a. **Chris McDermott and Joyce Cullen, West Elementary School**

It was moved by Selectman Lyman that the Board approve the request of Chris McDermott and Joyce Cullen, on behalf of West Elementary School, 58 Beacon Street, Andover, for a beer and wine beverage license on Thursday, June 8, 2006 from 3:30 P.M. to 6:00 P.M. at the Town House for a retirement party.

3. Approval of Consent Agenda Items (Cont.)

June 5, 2006 (Cont.)

B. One-Day All-Alcoholic Beverage Licenses (Cont.)

a. **Chris McDermott and Joyce Cullen (Cont.)**

The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the licenses. The motion was seconded by Selectman Major, voted and approved 4-0.

At this time, Selectman Hess asked the Manager about the Construction Project Manager that was appointed this evening. The Manager explained that every year in the CIP they have money set aside for a construction manager. In this case, he said they will not be hiring a replacement for Ken Parker's position and are going to leave it open for a year. Because of that they needed someone on board quick to handle projects. Typically, a job like Mr. Parker's would probably be a six months process to fill. Selectman Hess asked if there was a particular procedure for hiring temporary employees and for how long are they usually hired. The Manager said this position will be for a year and will have no health benefits. Selectman Lyman asked for a copy of the guidelines for temporary hires. She felt a lot of people have misunderstandings about what temporary means and who it benefits or does not benefit.

b. **Carol Round, Andover Federal Credit Union**

It was moved by Selectman Major that the Board approve the request of Carol Round, Andover Federal Credit Union, 19C Lupine Road, Andover, for a one-day all-alcoholic beverage license on Thursday, June 15, 2006 from 4:00 P.M. to 7:00 P.M. at 19C Lupine Road for their Annual Meeting. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the licenses. The motion was seconded by Selectman Lyman, voted and approved 4-0.

C. Race/Walk

It was moved by Selectman Hess that the Board grant permission to Roy K. Dennehy, Race Director for the Larry Robinson Race/Walk, to conduct their annual event through the streets of Andover on Sunday, November 12, 2006 beginning and ending at Andover High School. The request has been reviewed and approved with conditions by the Andover Police Department. The motion was seconded by Selectman Lyman, voted and approved 4-0.

D. Block Party

It was moved by Selectman Lyman that the Board grant permission to Susannah Abbott, 24 Wolcott Avenue, to block off her street on Sunday, June 11, 2006 from 4:00 P.M. to 8:00 P.M. for a neighborhood block party.

3. **Approval of Consent Agenda Items (Cont.)**

June 5, 2006 (Cont.)

D. Block Party (Cont.)

She is requesting Sunday, June 25, 2006 as the raindate. The request has been reviewed and approved with conditions by the Andover Police Department. The motion was seconded by Selectman Major, voted and approved 4-0.

E. July 4<sup>th</sup> Celebration

It was moved by Selectman Major that the Board grant permission to Kim Stamas, Community Services, Town Offices, Andover, to conduct the All-Town Fourth of July Celebration in the Park on Tuesday, July 4<sup>th</sup>. She is requesting that the following streets be closed from 8:00 A.M. to 9:30 A.M. for the formation of the parade: Bartlet Street between Morton Street and Chestnut Street. She is also requesting the closing of the following streets from 9:00 A.M. to 10:30 A.M. for the Horribles Parade: Punchard Avenue, Main Street from the intersections of Punchard Avenue to Park Street, Park Street to Whittier Street across Chestnut Street to Whittier Court. The request has been reviewed and approved with conditions by the Andover Police Department. The motion was seconded by Selectman Hess, voted and approved 4-0.

4. Citizens Petitions and Presentations

None this evening

5. Public Hearings

A. National Grid and Verizon New England

A public hearing was called to hear the request of National Grid and Verizon New England for permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

- Tewksbury Street at #114 - approximate location shown on Plan #70/327 dated 3/28/06

The request has been reviewed and approved by the Department of Public Works with the condition that prior to construction a street opening permit must be obtained from the Department of Public Works.

David Boucher, representing National Grid, appeared before the Board to present the request and answer questions. He said this work is being done per request of resident at 114 Tewksbury Street. After a brief discussion, it was moved by Selectman Hess that the Board approve the above request. The motion was seconded by Selectman Lyman, voted and approved 4-0.

5. Public Hearings (Cont.)

June 5, 2006 (Cont.)

B. Bay State Gas Company

A public hearing was held to consider the request of Bay State Gas Company to grant permission to excavate for the purposes of extending and/or maintaining its gas mains and to make the necessary house connections along the following public way:

- Frontage Road at #25 and #35 - approximate location shown on Plan #10272005-D, dated 4/25/06.

The request has been reviewed and approved by the Department of Public Works with the condition that prior to construction a street opening permit must be obtained from the Department of Public Works.

Selectman Major reclused himself from this discussion.

Mr. Petkus, Director of Public Works, appeared before the Board to speak on this request. He said he had no problem with this request and that there were no neighbors in this area.

It was moved by Selectman Hess that the Board approve the Bay State Gas petition for Frontage Road as described above. The motion was seconded by Selectman Lyman voted and approved 3-0.

Selectman Major rejoined the meeting.

6. Old Business

A. Raytheon Traffic Signal Design and Agreements

Chairman Vispoli opened discussion on the Raytheon signal and design agreement. Jack Petkus, Director of Public Works, was present to speak on this request. Also present were citizens from the neighborhood. Chairman Vispoli said this is as a result of a proposal voted at Town Meeting last year to allow Raytheon to design and build at their own cost and no cost to the Town, a light at the entrance of Raytheon on Rt. 133. At the last meeting, he said they discussed the fact that they wanted a third party to review the plan at Raytheon's expense for the Town.

Mr. Petkus reported that a third party, Vanasse, Hangen & Brustlin, Inc., reviewed the plan as requested and they have provided a set of comments. All the comments except for two were incorporated in the plan and the State has reviewed it as well. He said they have had a number of hearings with the neighborhood as well.

Kevin D. Dandrade, Senior Engineer for TEC, hired by Raytheon to do the design appeared before the Board. He said that along with him this evening was Bill Cummings, Facility Manager.

6. Old Business (Cont.)

June 5, 2006 (Cont.)

A. Raytheon Traffic Signal Design and Agreements (Cont.)

Mr. Dandrade said they had a good summary of comments from VHB, some related to traffic during construction, others looking for a little more detail, others just clarifying some things. Coming out of the meeting on April 10 here in this room, he said the Board charged them with three specific things.

1. Peer review.
2. Hold a neighborhood meeting.
3. Identify the Mass. Highway comments and the process for the Tri Party Agreement required by the Commonwealth.

Mr. Dandrade said they went over the peer review comments; the neighborhood meeting was held on May 16 at the Water Treatment Plant on Lowell Street and notice was given to project abutters. Two representatives of the public were present, Patrick Keffer, 357 Lowell Street as well as Fred Kulaga at 367 Lowell Street. There were concerns about things related to the intersection and lighting but in general, he said a lot of concerns regarding the traffic signal operations are very similar to how the intersection operates today. He said the installation of a traffic signal is merely meant to replace the operations by the officer because they want to provide consistency in traffic control here. VHB has confirmed in their memo that the intersection warrants a light.

Mr. Dandrade said Mr. Keffer was concerned because of the proximity of where the stop line is that traffic will always be in front of his driveway. He said that all of the equipment placement, striping locations, and signs are all based on standard uniform control devices. They did discuss the traffic control with Mr. Keffer. They also addressed landscaping issues in front of his property by removing a couple of trees and provide additional landscaping to buffer his view. All traffic equipment will be in black color.

Of the third item above, Mr. Dandrade said the Tri Party Agreement is required in any intersection that has private funding. He told the Selectmen that within their packets this evening, he provided a red line version of the draft agreement. Raytheon has reviewed the comments and come to an agreement that the language is satisfactory. He said that once Massachusetts Highway performs a final review of the plan it will go to the Boston office to obtain a traffic signal permit and with that traffic signal number. Once they have that they can complete the Tri Party Agreement and have it endorsed by all parties. Mr. Dandrade said this is a standard document that has been amended for this project with Raytheon and they do not anticipate any issues with having this approved by the state.

6. Old Business (Cont.)

June 5, 2006 (Cont.)

A. Raytheon Traffic Signal Design and Agreements (Cont.)

Mr. Dandrade said they have been in close contact with Mike Harris, the District Engineer and they are waiting for his call to receive an update on whether or not they had a chance to confirm if all of the comments have been addressed and when it will be going to the Boston office with a recommendation. He said they have addressed all of the Town's comments and have ultimately made it a better project.

Chairman Vispoli thanked Raytheon for going to the extra step of appointing a third party review. He agreed that they have a better project because of that. In answer to Chairman Vispoli, Mr. Dandrade said Federal approval is not required for this. In answer to Selectman Hess, he said that no work will be done during peak hours regardless of work area location and explained how the bicycle detection system works. The Manager said he talked to town counsel today and they have put together the agreement. He was pleased and recommended approval of both agreements with Raytheon and Massachusetts Highway. Town Counsel will get send a memo recommending the approval and saying that he was pleased with the changes.

Jim Redmond, 7 Bellevue Road, said he had concerns over the amount of traffic he has seen on Rte. 133 especially during emergencies in the 31 years he has lived there. His concerns were enumerated in a letter he sent to the Selectmen. He said he has seen traffic back up to his house and pass the Raytheon driveway just due to the domino effect when one vehicle breaks down. The other thing is there are a lot of accidents along that road by Raytheon. He said the ambulance and a fire truck have crashed behind his house on icy days responding to accidents. His concern is the big back up that creates and the need for emergency vehicles to get through. He felt the human factor there lends more judgment to the traffic that is created there. He said he will closely monitor this and once the light is erected, he hoped they do more of a traffic study impact of Rte. 133. He said the apartment complex just erected where Rolling Green is causing more traffic which that the road was not built for. Mr. Redmond then read the concerns he had put in his letter. Pat Keffer, 357 Lowell Street, said they will be meeting with engineers at Raytheon to express their concerns. They asked to help minimize the impact of putting a road bar to delineate the driveway. They supported putting signs there and landscaping to minimize the visual impact. Selectman Hess asked the residents to let them know how the sign works.

Chairman Vispoli asked when Raytheon is proposing to install the light. Mr. Dandrade said he hoped they have permits in hand by two or three weeks. Once they are permitted, it will be August when they go into construction and it will then take a period of two or three weeks. Chairman Vispoli said once this has been up for six months, they can get back together again to make sure this is operating as expected.

6. Old Business (Cont.)

June 5, 2006 (Cont.)

A. Raytheon Traffic Signal Design and Agreements (Cont.)

It was noted that all costs will be borne by Raytheon as well as the maintenance cost. It was suggested that Raytheon contracts with the Town to maintain the signal. Mr. Petkus said they will have the same contractor that maintains all the other signals in Town.

The Board felt they should wait until they receive a letter from Town Counsel Urbelis before they approve this request. Given they don't meet every week in the summer, Chairman Vispoli said they can make their motion to approve and get it all done contingent upon Town Counsel's letter. Chairman Vispoli said they will take care of this at the June 19<sup>th</sup> Selectmen's meeting and in closing, thanked everyone for participating.

B. Status Report - FY-06 Goals and Objectives

The Town Manager provided the Board with a matrix that showed the progress of the FY-06 Goals and Objectives as of June 2, 2006. He said he felt they have made good progress on all of these in some fashion or another. He reviewed the matrix with the Board. The Selectmen made the following comments:

On Key Personnel, Selectman Lyman said she was concerned about what she saw tonight. She understood it was difficult to fill a position such as Mr. Parker's position but felt that a temporary replacement also is a dangerous precedent, i.e., the replacement of a Step E for a position is a high step replacement for a temporary position at level 28. She said she also felt it was an easy way to bypass their goal of diversity recruitment. Selectman Lyman said this was the second time they have seen a temporary replacement in the last month. She didn't think they would do a full recruitment and do the widespread advertising she would like to see and it can bypass the process. She said she has very serious concerns about continuing this practice and didn't think this satisfies the goals they set for hiring when they do this.

The Town Manager said in a case like this the process still goes through Human Resources and the department. An ad is put in the newspaper but he was not sure how broad it was. If it was that, Selectman Lyman asked why then were they not filling it in permanent. She said she would like to see where it was advertised and for how long for that position.

Selectman Major said a couple of weeks ago when he was not present the Board had a short conversation at the end of the meeting about the replacement for the Fire Chief.

6. Old Business (Cont.)

June 5, 2006 (Cont.)

B. Status Report - FY-06 Goals and Objectives (Cont.)

He asked if they will have a follow-up discussion about that to talk about what the process is and what they are looking for, etc. That and also the study of the Fire Department said Chairman Vispoli. The Manager said he would be happy to talk about it at the next meeting.

Town Yard: Selectman Major said he will check with Jack Petkus to see if they can get together later this week and follow up about the meeting on the Town Yard that was postponed due to the flood.

Budget Process: Selectman Major asked if the Board was interested in putting together a letter in support of Senator Tucker's amendment that they set an approval date earlier then Town Meeting in the mid march time frame for their state budget.

It was moved by Selectman Major and seconded by Selectman Lyman that a letter be written from the Board of Selectman in support of Senator Tucker's amendment that will allow municipal government to plan their budgets in full knowledge of state funding. A copy of that letter is to be sent to other legislative representatives as well as state leaders such as the Speaker of the House, Senate President, and Governor.

The motion was seconded by Selectman Lyman, voted and approved 4-0.

Also, Selectman Major said that looking at the entire process they go through and meeting with the department heads, etc., although he approves of the whole concept they use, he felt that perhaps they can work to minimize the number of nights they need to meet with the department heads. Chairman Vispoli said they may be able to do that because they are coming up with a standard format/standard template that every department has to follow. Selectman Major said that maybe they can work it out to one budget meeting a week and perhaps each February and March a second one.

Sewer Project: Selectman Major said that in looking at the big storm they had and as a town the number of dollars of damage, he felt it could have been far worse if they had not done capital improvements in sewer improvements, etc. in the past. He wondered if there was some way Joe Piantedosi and Jack Petkus could summarize in a nice way to promote to the public that by doing these things, they were set up extremely well and protected their assets or investments. The Manager said the proof is in the fact that they had very few municipal problems. Selectman Hess said they could also talk to the situation of former wetlands absorbing the water and how they no longer are able to do that. He cited that Shawsheen Plaza should be a wetland but it is paved over now thus no longer a wetland that would absorb the water.

6. Old Business (Cont.)

June 5, 2006 (Cont.)

B. Status Report - FY-06 Goals and Objectives (Cont.)

The Manager said if you look at the FEMA study done in this Town in the mid 50's you will see exactly the area in the flood plain that flooded, the Market Basket parking lot, Washington Park condos and the lower Shawsheen ball field, all very predictable what will happen. After the storm in 1996, Washington Park condominiums went to the Conservation Commission to try to get approval to build a dyke around their peninsular and the CC denied it. They appealed it but the premise was that area is meant to flood and if allowed to build a dyke that it would have flooded in other places.

Main Street Project: Chairman Vispoli suggested they display the Main Street project plans possibly in the Town House.

Citizen Communication: Chairman Vispoli said one thing they haven't done is develop a process to follow for building permits using the web site. If someone wanted to go for a building permit and put an addition on their house, if that process was in place, they would have a way through the web to guide them through the process. He said they talked about this two years ago but they haven't implemented it on the web site and would like to see them do that if possible. The Manager said he will ask Steve Bucuzzo to look at that and come up with some ideas.

Property Revaluation: Selectman Hess said it looks like a pretty good job and done very efficiently. He asked the Manager to pass that comment on to Tony Torrisi, Finance Director, Bruce Symmes, Assessor and his crew.

Mary Carbone said she would like to know who paid for the School Space Needs Study and what the dollar figure on that was. The Manager said he didn't know but will get the information for her.

7. New Business

A. Discussion on Sewer Rate Increase, Ambulance Fee Increases and Community Development & Planning Revolving Fund Increase

a. Sewer Rate Increase

Mr. Torrisi came forward to speak on the sewer rate increase. He said that the Town is involved in a long-term sewer maintenance construction project. As they planned the project they forecasted in the CIP document that they prepare in October of every year funds necessary to maintain the funding for the sewer system. Included in a handout from Mr. Torrisi dated June 2, 2006, was a water and sewer rate history. It indicated that the water rate has been flat since 1994 and the sewer rate increasing to help cover cost of sewer projects. The CIP recommended a rate of going from \$2.86 for a hundred cu. ft. of water used to \$3.09.

7. New Business (Cont.)

June 5, 2006 (Cont.)

A. Discussion on Sewer Rate, Ambulance Fee and Community Development & Planning Revolving Fund Increases (Cont.)

a. **Sewer Rate Increase (Cont.)**

Mr. Torrissi said that report was included both in the CIP, the Town Manager's budget and also in the Finance Committee report. If the Board approves this item, they will be able to maintain a fully funded sewer system. He said the information in the budget was based upon this rate increase and discussed as they went through the budget process.

Selectman Hess said he didn't recall during budget discussions whether he indicated the rate would level off at \$3.09 for a while. Mr. Torrissi said he didn't think it would level; they still have an excess of \$12 million of debt they will be issuing for the balance of the sewer construction project and there is still a significant amount of a new debt they will be borrowing over the next few years. Selectman Hess asked if they will be increasing the sale cost of water to other towns. Mr. Torrissi said that was the quandary. Chairman Vispoli asked how this compared to other towns. Mr. Torrissi said he hasn't done that comparison but will be happy to get the information to him, particularly the towns that are in the sanitary district.

It was moved by Selectman Lyman that the Board of Selectmen, acting as Sewer Commissioners, vote to increase the sewer rate from \$2.86/00 cubic feet of water used to \$3.09/100 cubic feet water used effective with the Section 1 billing of July, 2006.

The motion was seconded by Selectman Major.

Chairman Vispoli asked what this will do to the average sewer bill per year. Mr. Torrissi said that the impact is about \$28 a year.

The motion was voted and approved 4-0.

b. **Community Development Revolving Fund**

Mr. Torrissi explained that there is a statute they use for a number of different revolving funds they have which basically states that Town meeting establishes the limit to be expended in a fiscal year. Departments cannot then spend more than they collect. The cap can be increased during the course of the fiscal year with the approval of the Board of Selectmen and the Finance Committee. Town Meeting all ready increased that limit for next year and this will just increase to get this through this year. He has not yet brought this to the Finance Committee but he assumes they will not have any difficulty with it. This allows bringing the limit from \$40,000 to \$70,000 for this year.

7. New Business (Cont.)

June 5, 2006 (Cont.)

A. Discussion on Sewer Rate, Ambulance Fee and Community Development & Planning Revolving Fund Increases (Cont.)

b. **Community Development Revolving Fund (Cont.)**

It was moved by Selectman Lyman that the Board of Selectmen vote to increase the Community Development & Planning Department Legal Notice Revolving Account from \$40,000 to \$70,000 effective June 5, 2006. The motion was seconded by Selectman Hess. After a brief discussion, the motion was voted and approved 4-0.

c. **Ambulance Fee Increases**

Fire Chief Charles H. Murnane, Jr. appeared before the Board and requested the Selectmen approve the increase in ambulance fees from 35% to 50% above Medicare's rate for 2006. Chief Murnane explained that Medicare has packaged all the different aspects of billing, i.e., Medicare will not pay for oxygen or defibrillation charges that they paid previously. He said that 35% to 50% adds more burdens on private insurance but they receive a tremendous amount of calls that are Medicare patients. They will be loosing on one end and gaining on another end. Chief Murnane said that the Towns of Methuen and Middleton charge 50% over Medicare and that he is hearing from going to Chiefs' meetings that more people are leaning going towards that way. In answer to Selectman Lyman, Chief Murnane said that charges are waived after a hardship form is filled out and returned to their billing agency Comstar.

This year, Chief Murnane said he recommends this increase because the cost to do business has gone up especially with the fuel increases, which for them is a tremendous amount. He said they do a lot more service calls to homes where people need help in their walkers, or need help being picked off the floor. There is no charge for that so that this increase will help with that aspect to. In answer to Chairman Vispoli, Chief Murnane said they only charge whenever they transport. Also, that they have an agreement with Lawrence General Hospital for an Advanced Life Support System that is totally committed to provide ALS service to Andover. Andover does the transporting so they do the Medicare billing for them as far as their services are concerned and they pay part of every fee that the Fire Department is charged and pays to their billing company. Chief said that ALS is an extension of the emergency room at the LGH. They do IV's and more technical procedures then their basic EMT's.

In answer to Selectman Lyman, Chief Murnane said they do 2,700 to 3,000 runs per year. Then added to that is the service calls to help residents out. There is no fee unless they transport a patient to the hospital. Chief Murnane said these are pretty customary fees and felt they have been the leader in standing ahead of the curb and this will keep them there.

7. **New Business (Cont.)**

June 5, 2006 (Cont.)

A. Discussion on Sewer Rate, Ambulance Fee and Community Development & Planning Revolving Fund Increases (Cont.)

c. **Ambulance Fee Increases (Cont.)**

Mary Carbone said the ambulance issue has been a bone in her side for a long time; it is a revenue deriving issue and she has stated in the past that the residents in this community, the tax payers, pay for the vehicles and when it comes time for them to have to use the vehicles they have to pay. They have achieved that. Over and above that she said she would like to know how much they pay the billing agency for them to counter bill the residents of the community for the balance that is not achieved. She said that usually Medicare patients have a secondary coverage. Chief Murnane said Comstar collects \$15.50 for each run they collect. ALS pays \$3 of that fee for each bill collected for them. Ms. Carbone reiterated that she did not feel any resident of this Community should be billed a final amount to take a ride in a vehicle which they pay in their tax dollars to maintain and school the individual that operates the ambulance. Chief Murnane said he agreed with her 100% but the Selectmen are the ones she has to convince.

It was moved by Selectmen Lyman that the Board of Selectmen vote to increase the billing rate for ambulance fees and charges from 35% above Medicare rates to 50% above Medicare rates effective July 1, 2006. The motion was seconded by Selectman Major, voted and approved 4-0.

B. Continued Discussion of FY-07 Goals and Objectives

The Board continued discussion on the FY-07 Goals and Objectives. At the last meeting, Chairman Vispoli said the Selectmen came up with four different categories of items. The goal was to try to minimize and reduce the amount of items that they would put on their plate for actual goals and objectives and try to remove things that were in process. The goal was to come up with a high level list which they did last time and review it again this evening. He said that Steve Bucuzzo organized them into different categories with the idea they go through these and highlight the ones they want to expand, pull others out and move them around and come up with a concise set of items that they can go forward with and develop a set of objectives. The idea was after tonight to hopefully come up with something they can show department heads in advance of their meeting with them.

The Board then reviewed the list of initial items and categories that were put together at the last meeting and arranged by Mr. Bucuzzo.

7. **New Business (Cont.)**

June 5, 2006 (Cont.)

B. Continued Discussion of FY-07 Goals and Objectives (Cont.)

Noted was the following:

Budget & Finance:

**New Revenue:** A continuing effort.

**NESWC Fund:** Ask Finance Director to come up with some recommendations as to options where to put the money.

**Labor Contracts:** Ongoing. Discussion in Executive Session. The goal is to settle.

Mary Carbone asked about the question she had raised previously regarding contracts. She had suggested if after contracts were negotiated the Town would come out to public a meeting and relate to the outcome of the negotiation so the general public would know. The Manager said that was not appropriate before the Board of Selectman signed the contract. A public announcement can be made as soon as it was legal.

**Health Insurance:** Continuing to work with Blue Cross Blue Shield on this. He said the biggest issue with them is the co-pay. Keep this on their agenda in particular the whole coalition bargaining item brought to their attention by Andover Firefighter John Hines.

**PERAC:** Joanne Marden raised the question as to when the term of the Board's appointed liaison to the Retirement Board is up. Manager said it was his appointment. He said the Finance Committee is encouraging them to look for someone that had more of a financial background. There was also a memo in here about the change in pension calculation. He said he would like to see that put on the agenda as soon as possible and have it as a goal. If that is about PERAC, the Manager said he would like to discuss that in executive session.

**Pension costs:** Awareness of what is happening and better understanding what the costs are and the trends of those costs.

**Budget Information/Process:** Consolidate and simplify. Template a great idea. Continue joint meetings with Finance Committee but find a way to make it more efficient. Advertise budget hearings.

Current & Ongoing Projects:

**Ledge Road landfill:** Phase 2 gets up and running and concluded by money just voted from town meeting. Public hearings when necessary.

7. New Business (Cont.)

June 5, 2006 (Cont.)

B. Continued Discussion of FY-07 Goals and Objectives (Cont.)

**Reichold Acquisition:** Ongoing. Not a goal. Move into the other list.

Future & Planned Projects:

**Youth Center:** Goal - determination of site selection and feasibility of site requested; short on fund raising; new agreement needed.

Mary Carbone commented that she felt Rec Park was a good place for it if it needs to be in another particular spot.

**Town Yard:** Goal for upcoming year; make a decision on direction.

**Main Street project:** Put this on the bottom to just watch. Determine the right mode of communicating. Publish the time line and communicate to the public and have the strategy.

**Rte. 125 Signalization:** In process. Do a better job getting information out.

**I-93 Interchange:** Committee in Place. Press release out soon. Work together on this.

**School Space Evaluation:** Discussion with School Committee. Should tie into CIP discussion.

Policy and Oversight:

**Auto Policy:** Review and revise by a certain date.

**External & Internal Communications:** Become more aggressive getting information out. Review what will be helpful to them. Learn how to work CATV equipment. Review with department heads potential of merging to have more efficient committees.

Mary Carbone commented that if they are going to have all those committees, liaisons, at least bring them in to give reports and recognize them for the work they have done.

**Mid-Year Dept. Review:** How to get better attendance and people interested.

7. New Business (Cont.)

B. Continued Discussion of FY-07 Goals and Objectives (Cont.)

June 5, 2006 (Cont.)

**Emergency Preparedness Planning:** How do they communicate with the public to let people know when there is an emergency. Manager said in particular with the Asian Flu, they will be hearing and seeing more about that. They are partnering with the hospitals, the town and schools are working with businesses in the area, lining up health care professionals that can assist them with inoculations and clinics and in any medical way that can be helpful.

**Use of Public Lands:** They have another memorial for the Korean War to be erected. They all agreed in the last process that they would come up with a process for that. That is their goal.

Mary Carbone said there is a central location for recognition of all Veterans in Andover in Elm Square. She questioned why do they have to have specific areas within the Town and use them to erect memorials. She didn't that is a good idea.

**Audit Committee:** Discuss how to proceed.

**CATV Licenses:** Public process will ensue.

**Town Manager's Evaluation:** Evaluation conducted annually.

**Diversity in Hiring:** How they can improve their hiring.

**Vision 21:** Need public presentation on this. Decide as a goal what to do.

Chairman Vispoli added another goal to pull together a meeting of other Boards of Selectmen from up to five different communities to talk about similar challenges. This would be a one time meeting in September. The Selectmen had no problem with that.

Chairman Vispoli said that he and the Manager should sit down and come up with some ways to interpret this for departmental thoughts and come back for one more review for any changes before it goes out to the department heads. He said a meeting with department heads will be scheduled and he did pencil in the Monday in June with Department Heads to review the goals.

The Manager said he will update the goals and email it back to the Board.

## 8. Approval of Minutes from Previous Meetings

It was moved by Selectman Hess that the Board approve the minutes of the April 18, 2006 - Special Meeting. The motion was seconded by Selectman Major, voted and approved 4-0.

June 5, 2006 (Cont.)

It was moved by Selectman Lyman that the Board approve the minutes of the April 24, 2006 - Special Meeting, the motion was seconded by Selectman Major. After an amendment was made, the motion was voted and approved 4-0 as amended.

It was moved by Selectman Lyman that the Board approve the minutes of the April 25, 2006 - Special Meeting. The motion was seconded by Selectman Major, voted and approved 4-0.

It was moved by Selectman Lyman that the Board approve the minutes of the May 1, 2006 - Special Meeting. The motion was seconded by Selectman Hess. After an amendment was made the motion was voted and approved 4-0 as amended.

It was moved by Selectman Lyman that the Board approve the minutes of the May 8, 2006 - Regular Meeting. The motion was seconded by Selectman Hess. After a correction was made, the motion was voted and approved 4-0.

It was moved by Selectman Hess that the Board approve the minutes of the May 22, 2006 - Regular Meeting. The motion was seconded by Selectman Lyman, voted and approved 4-0.

9. Sewer Commissioners

It was moved by Selectman Hess that the Board adjourns to Sewer Commissioners. The motion was seconded by Selectman Major, voted and approved 4-0 by roll call vote, Selectmen Hess, Lyman, Major and Chairman Vispoli in favor.

It was moved by Selectmen Hess that the Board approve the following requests for connection to the new sanitary sewer system:

2 Carter Lane - TM 121, TL 1-A  
8 Nancy Circle - TM 63, TL 33  
10 Nancy Circle - TM 63, TL 34  
7 Snowberry Road - TM 101, TL 18  
435 South Main Street - TM 82, TL 1-E  
6 Tilton Lane - TM 98, TL 4-B

The motion was seconded by Selectman Major, voted and approved 4-0.

9. Sewer Commissioners (Cont.)

It was moved by Selectmen Hess that the Board approve the following requests for connection to the existing sewer system:

June 5, 2006 (Cont.)

2 Harwich Lane - TM 44, TL 336  
5 Swan Lane - TM 06, TL 91  
9 Swan Lane - TM 06, TL 91  
13 Swan Lane - TM 06, TL 91  
16 Swan Lane - TM 06, TL 91  
20 Swan Lane - TM 06, TL 91  
14 West Knoll Road - TM 59, TL 10-A

The motion was seconded by Selectman Major, voted and approved 4-0.

It was moved by Selectman Hess that the Board reconvene to regular meeting. The motion was seconded by Selectman Lyman voted and approved 4-0 by roll call vote, Selectmen Hess, Lyman, Major and Chairman Vispoli in favor of the motion.

10. Adjourn to Executive Session - 10:25 P.M.

It was moved by Selectman Hess that the Board adjourn to Executive Session to discuss collective bargaining strategy not to return. The motion was voted and approved 4-0 by roll call vote, Selectmen Hess, Lyman, Major and Chairman Vispoli in favor.

11. Adjournment - 11:11 P.M.

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Elizabeth A. Kochakian  
Recording Secretary